



## Spencer Hamer

### Partner

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## OVERVIEW

Spencer Hamer is a partner in the firm's Labor, Employment, and Workplace Safety practice. He advises employers on the full spectrum of employment law compliance-related matters, including discrimination, harassment, retaliation, wrongful termination, whistleblower, leaves of absence, disability accommodation and wage and hour audits. In addition, he advises clients regarding employment law issues in M&A transactions, and assists companies with compliance at the pre-sale/IPO stage. Spencer regularly prepares employment policies and procedures, advises clients on workplace investigations, negotiates executive employment agreements, and conducts compliance-related training. He also has extensive experience representing employers in the defense of employment matters in state and federal courts, including class actions, PAGA claims and single-plaintiff matters. Spencer has represented employers in a variety of industries, including health care, alternative energy, hospitality, manufacturing and technology.

## PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Spencer was a partner at another national law firm.

## PROFESSIONAL / CIVIC ACTIVITIES

- State Bar of California (Labor & Employment Section)
- Orange County Bar Association (Labor & Employment Section)
- K&L Gates Cyber Civil Legal Rights Project

## SPEAKING ENGAGEMENTS

- "California's New Pay Data Reporting Law: Are You Ready?" *K&L Gates/Trusaic Webinar*, 25 February 2021.
- "The Dynamex Case and California's New 'ABC' Test for Contractor Status" *K&L Gates/OCTANE Seminar*, 26 June 2018

- "Protecting Health Care Workers from Workplace Violence Risks," *Orange County Bar Association Health Care Law Section Meeting*, 9 February 2017.
- "Managing Workplace Risk: An Employment Law Overview," *Independent Insurance Agents & Brokers of California Insurance Law Track*, 12 October 2016.
- "Classifying and Compensating Commission-Based Insurance Salespersons," *American Agents Alliance Convention & Expo*, 24 September 2016.
- "Preventing Workplace Violence in the Urgent Care Industry," *Urgent Care Association of America (UCAOA) 2016 Spring Conference*, 20 April 2016.
- "Crafting a Legal and Effective Social Media Policy," *Urgent Care Association of America (UCAOA) 2016 Spring Conference*, 19 April 2016.
- "Everything Non-Clinical That You've Ever Wanted to Know, but Were Afraid to Ask," *Urgent Care Association of America (UCAOA) 2016 Spring Conference*, 18 April 2016.
- "Recent Employment Law Developments in the California Health Care Industry," *California Society for Healthcare Attorneys (CSHA) Spring Seminar*, 8 April 2016.
- "Physician Agreements for Employees and Independent Contractors," *Orange County Bar Association (OCBA) Health Care Law Section Meeting*, 10 March 2016.
- "When Is a Retained Agent an Employee vs. an Independent Contractor, in Light of the Uber Decision," *California Insurance Wholesalers Association*, 11 January 2016.

## EDUCATION

- B.A., University of Michigan
- J.D., University of Southern California Law School

## ADMISSIONS

- Bar of California
- Bar of Tennessee
- District of Columbia Court of Appeals
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California
- United States District Court for the Eastern District of California
- United States District Court for the Northern District of California
- United States District Court for the Southern District of California

## THOUGHT LEADERSHIP *POWERED BY HUB*

- 26 February 2024, 2023 Health Care Employment Law Year in Review
- 29 March 2023, 2022 Health Care Employment Law Year in Review
- 20 February 2023, 2022 Health Care Employment Law Year in Review
- January 2023, Reductions in Force: Strategies to Minimize Litigation Risk in Downsizing
- November 2022, International Hiring: Managing Policies, Procedures, and More
- November 2022, CPRA and Beyond — 2023 State Privacy Regulation Insight Series
- 16 June 2022, The Supreme Court Rules the FAA Preempts Iskanian's Prohibition Against Arbitration of Individual Private Attorney General Act Claims
- 23 March 2022, 2021 Health Care Employment Law Year in Review
- 23 March 2022, K&L Gates Working Wise: 2021 Health Care Employment Law Year in Review
- 10 February 2022, 2021 Health Care Employment Law Year in Review
- September 2021, Preparing for the Biden Vaccine Mandates
- 9 July 2021, The Essentials - California Employment Law Update
- 1 June 2021, COVID-19: Employers Can't Miss the Shots Employees Don't Take: Santa Clara County Requires Employers to Track Employees' Vaccination Status
- March 2021, What You Need to Know About 2021's Trends and Developments in Labor and Employment Law
- 15 March 2021, Health Care and Employment Law: 2020 Year in Review and Looking Ahead
- 16 February 2021, Employment Law Developments that will Impact the Health Care Industry in 2021
- 6 January 2021, California Enacts New Laws Affecting Employers in 2021
- 31 August 2020, COVID-19: Employment Issues in Health Care Mergers and Acquisitions in the Era of COVID-19
- 30 April 2020, COVID-19: San Francisco and San Jose Issue Emergency Paid Sick Leave Ordinances for Employers Not Covered Under FFCRA
- 15 April 2020, COVID-19: California Counties and Cities Enact Stricter COVID-19 Policies than California's Statewide Stay-at-Home Order
- 24 March 2020, COVID-19: Los Angeles County Issues Health Order and Guidance Prohibiting Gatherings of 10 Persons or More and Operations of Certain Businesses
- 24 March 2020, COVID-19: California Institutes Statewide "Stay at Home" Order to Combat COVID-19

- 19 March 2020, COVID-19: Bay Area Issues Coordinated “Shelter in Place” Public Health Order
- 27 January 2020, Employment Law in the Health Care Industry: 2019 Year in Review
- 7 January 2020, California Legislature Adopts Several New Employment Laws for 2020
- October 2019, New Whistleblower Protections — Are You Prepared?
- 28 February 2019, K&L Gates Triage: A Discussion of Labor and Employment Issues in the Health Care Industry
- 4 February 2019, Employment Law in the Health Care Industry: 2018 Year in Review
- 9 January 2019, Working Wise: Proactive Strategies for Pay Equity Issues
- 5 November 2018, #MeToo Movement Inspires Avalanche of New Laws Affecting California Employers
- June 2018, Navigating HR Issues Within a Cross-Border M&A Transaction
- 20 October 2017, Recent Deluge of California Legislation Imposes New Requirements on Employers

## OTHER PUBLICATIONS

- "How Health Care Cos. Can Untangle Web Of Vaccine Mandates," *Law360*, 13 October 2021
- “Don't Post That! Protecting Patient Privacy in the Age of Social Media,” *The Journal of Urgent Care Medicine*, 3 October 2016.
- “Complying with Medical Information Restrictions of the Family Medical Leave Act and Americans with Disabilities Act,” *The Journal of Urgent Care Medicine*, 1 February 2016.

## NEWS & EVENTS

- 20 May 2022, Handling Workplace Complaints in the Return to Work Era
- 6 October 2021, K&L Gates Advises Sinch AB on \$1.9 Billion Acquisition of Pathwire
- 1 September 2021, K&L Gates Advises Megaport (USA) Inc. in Acquisition of InnovoEdge Inc.
- 25 February 2021, California's Pay Equity Law Deadline: Are You Prepared?
- 23 February 2021, K&L Gates Advises Sinch AB on \$1.14 Billion Acquisition of U.S. Telecom Provider Inteliquent
- 14 October 2020, Ignite Series: How to Safely Reopen with California's New COVID-19 Guidance for Employers
- 14 September 2017, K&L Gates Adds Orange County Labor and Employment Partner

## AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Employment Disputes and Investigations
- Employment Issues in Business Transactions
- Health Care and FDA
- Human Resource Advice and Compliance
- Mergers and Acquisitions
- Power
- Wage and Hour

## EMERGING ISSUES

- Environmental Social Governance (ESG)